

discrimination based on race, color, religion, sex, national origin, age, state of physical handicap, or disability.

*Rule 11. Appraisal of Committee Business*

The Chair and Ranking Minority Member shall keep each other apprised of hearings, investigations, and other Committee business.

*Rule 12. Per Diem for Foreign Travel*

A per diem allowance provided a Member of the Committee or staff of the Committee in connection with foreign travel shall be used solely for lodging, food, and related expenses and it is the responsibility of the Member of the Committee or staff of the Committee receiving such an allowance to return to the United States Government that portion of the allowance received which is not actually used for necessary lodging, food, and related expenses. (Rule XXXIX, Paragraph 3, Standing Rules of the Senate.)

## IMPEACHMENT

Ms. CANTWELL. Mr. President, every President swears an oath to preserve, protect, and defend the Constitution of the United States. Every President has a solemn duty to uphold the rule of law and to preserve our democratic system. No one is above the law, not even a President.

President Trump violated his oath. He promulgated lies about the election, used his office to try to interfere with election officials doing their job, and failed to protect our Capitol from a mob that clearly intended to cause physical harm to elected officials and to stop the lawful certification of election results.

For months, President Trump used his platform as President—at rallies, on Twitter, and in press interviews—to spread disinformation, making unsubstantiated and false claims about voting by mail, vote rigging, and fraud in counting ballots. President Trump pressured State and local officials across the country to reject election results without evidence. He called Georgia Secretary of State Brad Raffensperger to pressure him to find the votes he needed to win the State. Even after President Trump lost 61 election-related cases in State and Federal courts, he continued to insist the election was stolen from him. In the process, President Trump sowed doubt and provoked his supporters.

President Trump summoned his supporters to Washington, DC, on January 6. They included known domestic violent extremists, including the Proud Boys, the Oath Keepers, and other White supremacists and far-right militia groups. Federal law enforcement had warned about the threat of violence from armed members of these groups. Nevertheless, President Trump urged his supporters to march to the U.S. Capitol and to fight and told them they will “never take back our country with weakness.” He said he would march with them.

Instead of trying to stop them, President Trump continued to support actions by the insurrectionists even after they breached the Capitol Building,

overwhelmed and unleashed violence against law enforcement, and put at risk the lives of the Vice President, Members of Congress, Capitol Police officers, and staff members. Four insurrectionists died. In all, 140 law enforcement personnel were injured and 1 police officer, Capitol Police Officer Brian Sicknick, was killed. Two more police officers later died as a result of the insurrection.

Many of the insurrectionists said they were there at the direction of President Trump. And the President did not call on his followers to stand down or send reinforcements to help the overwhelmed law enforcement at the Capitol. Instead, we know from a statement from Washington Congresswoman JAIME HERRERA BEUTLER entered into the trial record that President Trump refused to help bring an end to the insurrection even after House Republican Leader KEVIN MCCARTHY urged him to act.

In this moment and in the weeks and months leading up to the insurrection, President Trump violated his duty to the Constitution and his oath of office. There must be accountability. Without accountability, we are setting a dangerous precedent—one that says that the President is above the law and did not uphold his oath to ensure the peaceful transfer of power.

It is also important to recognize that the events that unfolded on January 6 did not occur in isolation. They were the culmination of years of President Trump stoking the flames of racial tension and division, as the House impeachment managers have concisely laid out.

Throughout President Trump's time in office, hate crimes rose to levels not seen in over a decade. The rise in domestic violent extremism has been publicly acknowledged by President Trump's own FBI Director, Christopher Wray, who identified it as the most severe threat to the homeland. Director Wray has testified that racially-motivated violent extremists make up the largest aspect of domestic violent extremist cases, often involving militia groups, such as the ones who were present during the January 6th insurrection.

In the Northwest we have faced threats from racially-motivated extremists and armed anti-government militia groups for decades, including the siege of Ruby Ridge, ID, in 1992, the Aryan Nations compound near Hayden Lake, ID, and the attempted bombing of Spokane's Martin Luther King, Jr., memorial march in 2011. Groups that were among the insurrectionists on January 6, including the Three Percenters, the Proud Boys, and the Oath Keepers, all have a significant presence in my State. In the last 4 years, their activity has been on the rise. Following the insurrection at the U.S. Capitol, they threatened State capitals around our country, including in my State. An armed mob breached the gates outside of the Governor's

mansion in Olympia, surrounding Governor Inslee's residence on the capitol complex while his family was inside. This wasn't the first time, however, that these armed extremist groups have showed up to demonstrations in my State.

As this Senate trial has clearly shown, President Trump has repeatedly inflamed these groups and others. He encouraged violence at his rallies, called White nationalists and neo-Nazis in Charlottesville “very fine people,” refused to clearly condemn White supremacy during a Presidential debate, told the Proud Boys hate group to “stand back and stand by,” and told the January 6th insurrectionists that he “loves them and they are very special” after they had already laid siege to our Capitol and committed heinous acts of violence. That encouragement has had consequences, as we saw in Charlottesville and on January 6.

President Trump's responsibility is clear. He violated his oath of office and tried to overturn the results of the election. Free and fair elections are the bedrock of democracy. Generations of Americans gave their lives for our freedom, for our right to vote, and for the peaceful transfer of power. I voted to hold President Trump accountable for committing a high crime against our governmental system and to safeguard the future of democracy in the United States of America.

Mr. Kaine. Mr. President, 1 year ago, I said upon the conclusion of President Trump's first impeachment trial, “Unchallenged evil spreads like a virus,” and that acquittal would lead to worse behavior. The events of January 6—seven dead, the first siege of our Capitol in over 200 years, the disruption of the peaceful transfer of power—are the direct result of that first acquittal. I voted to convict because seven needlessly died and hundreds were injured by a former President's egregious lies. So many risked all to protect us. The least we can do is protect them by voting to condemn and thus prevent behavior that should never be repeated.

Mr. Rubio. Mr. President, just minutes after the attack of January 6 began, I said it was not only unpatriotic, it was un-American. I do not need to be convinced that what happened on that day was the disgraceful work of a treasonous criminal mob. But seeing images of that attack stirred up anger in me, anger that our Nation was embarrassed in the eyes of the world by our own citizen; anger that Capitol Police officers that my family and I know personally had to deal with these low-lives; anger that janitorial and food service staff I have gotten to know—many who came to America to get away from countries with political violence—had to clean up the mess left behind by these cretins.

But, if we have learned anything this week, it should be how dangerous it is to allow anger to influence actions.

The lead House Manager argued today that this trial isn't about Donald

Trump, that it was about our country, and that those who refuse to vote to convict are condoning the actions of a violent mob and failing to defend the honor of our Capitol and the people who work here. This is a ridiculous and insulting argument.

Impeachment is not a way of sending a message or taking symbolic action. Impeachment exists for one principal reason: to remove from office an officeholder guilty of wrongdoing. And claiming that anyone who doesn't vote to convict someone no longer in office is the equivalent of supporting a criminal mob is nothing but hyperpartisan politicians masquerading as high-minded prosecutors trying to smear their political opponents.

The Senate does not have the constitutional power to convict a former official, and even if we did, we should be very reluctant to use it. In the 244-year history of our Republic, we have never convicted and disqualified a former official in an impeachment trial. Doing so now would create a new precedent, and it would weaponize impeachment in a way we will come to regret.

The day will come when a future Congress, one with a new majority in the House filled with new Members elected on the promise of holding accountable leaders of the opposite part, will give in to these passions and impeach a former official. The Senate will then find itself conducting a trial of that former official, a trial justified by the precedent we are asked to set here today, and a Senate tempted to convict by the tantalizing opportunity to disqualify that official from future public office.

My fear of creating dangerous precedents is not new. Two years ago, I was accused by some in my party of being a traitor because I opposed using an emergency declaration to fund a border wall that I supported. I warned then that a future Democratic President would do the same thing to fund a Green New Deal. And now, just 2 years later, leading Democrats are calling for that very thing.

The lead manager admitted today that, for the Democrats and their enablers working in the legacy media, the purpose of this trial was not to hold the former President accountable. The real purpose of this trial was to tar and feather not just the rioters, but anyone who supported the former President and any Senator who refuses to vote to convict.

I voted to acquit former President Trump because I will not allow my anger over the criminal attack of January 6 nor the political intimidation from the left to lead me into supporting a dangerous constitutional precedent.

The election is over. A new President is in the White House, and a new Congress has been sworn in. Let history and, if necessary, the courts judge the events of the past. We should be focused on the serious challenges of the

present and preparing our country to confront the serious tests it will face in the future.

Ms. HASSAN. Mr. President, during this impeachment trial, our country has re-lived the chilling and un-American assault on the foundations of our democracy. New video footage reinforced both the brutality of the rioters and also the heroism of members of law enforcement who—just barely—prevented further loss of life. The personal threat of that day, however, is not nearly as troubling as the threat to our democracy.

After listening to the arguments from the House Managers and former President Donald Trump's defense, I voted to convict the former President. As dangerous as Donald Trump's actions were over the course of the months, days, and hours leading up to the violent insurrection, my vote was less about holding Trump as an individual accountable than it was about protecting our country from similar threats in the future, at his hands or at the hands of others.

Impeachment is not designed to punish—it was included in our Constitution to protect the Republic from abuses of power and tyranny. I voted to protect the America that we know and love because January 6, 2021, will be our future if we tolerate what the impeachment trial showed was Trump's concerted campaign to prevent the peaceful transition of power.

Of all the things former President Trump did, it is actually what he did not do once he knew the Capitol was being attacked and his own Vice President, among others, was being threatened that was most troubling.

Should there be any doubt that Trump intended to disrupt the certification of votes and encourage the violence that desecrated the Capitol, his decision to allow it to continue for hours should dispel that uncertainty.

If he had not intended the violence when it began, his failure to exercise his power to secure the Capitol and protect those inside was itself a violation of his oath of office and merits conviction and disqualification from holding future office.

Before Trump's refusal to engage in the peaceful transfer of power, the public could gather outside the Capitol; families could play soccer on the weekends, and tourists could take photos of this temple of democracy. Before COVID, the public could even walk right in, after being properly screened. But throughout the impeachment trial, we came to work through fences and barbed wire. There was no open space for the public because we have lost the common understanding that the Capitol is place where we spar with words, not physical violence.

It is fitting that the trial concluded right before we mark the birthday of George Washington, who helped establish some of the bedrock principles of our democracy not simply through his service as our first President, but by

voluntarily surrendering the office, peacefully.

Our union that Washington helped birth and that Lincoln managed to preserve is still fragile, and it cannot be taken for granted. We will need to continue the work of investigating what led to the grim events of January 6 as well as what happened on that day, and we will need to take steps to make clear that acts of tyranny will not be tolerated in our country.

We have considerable work ahead to bring our country together and strive for greater opportunity for all, both in the face of this pandemic and beyond. I am committed to continuing that work and showing the American people and the world that we are resilient, strong, and willing to renew our commitment to government of, for, and by the people.

Thank you.

#### REPORTS OF COMMITTEES DURING ADJOURNMENT

Under the authority of the order of the Senate of February 13, 2021, the following reports of committees were submitted on February 19, 2021:

By Mr. WYDEN, from the Committee on Finance, without amendment: S. Res. 63. An original resolution authorizing expenditures by the Committee on Finance.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS DURING ADJOURNMENT

On February 19, 2021, under the authority of the order of the Senate of February 13, 2021, the following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. WYDEN:

S. Res. 63. An original resolution authorizing expenditures by the Committee on Finance; from the Committee on Finance; to the Committee on Rules and Administration.

#### SUBMITTED RESOLUTIONS DURING ADJOURNMENT FEBRUARY 19, 2021

#### SENATE RESOLUTION 63—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON FINANCE

Mr. WYDEN submitted the following resolution; from the Committee on Finance; which was referred to the Committee on Rules and Administration:

S. RES. 63

*Resolved*, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Finance is authorized from March 1, 2021, through September 30, 2021; October 1, 2021, through September 30, 2022; and October 1, 2022, through February 28, 2023, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the